

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

AMBER SMITH,

Plaintiff,

vs.

LISA-MICHELE CHURCH, et al.,

Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:09 CV 106 TC

The court referred this case to Magistrate Judge Samuel Alba pursuant to 28 U.S.C. § 636(b)(1)(A). On August 3, 2011, Judge Alba entered his Report and Recommendation¹. The Report and Recommendation addresses two motions to dismiss and a motion for summary judgment. Defendants Tania Say, Cynthia Darrah, Tami Sonder, and Victoria Miller (collectively “Madera Defendants”) filed a motion to dismiss²; Defendants Kim Belshe and Jan Sturla (collectively “California State Defendants”) filed a motion to dismiss³; and Defendants Lisa-Michele Church, Mark Brasher, Jackie Languet, Brenda Fotheringham, Greg

¹Dkt. 87

²Dkt. 46

³Dkt. 25

Dunn, and Peggy Major (collectively "Utah Defendants") filed a motion for summary judgment⁴.

Judge Alba's 23-page report contains the extensive history of the case which this court will not repeat. The report recommended that the two motions to dismiss and the motion for summary judgment be granted, resulting in dismissal of the action.

The parties were given fourteen (14) days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. No objections were received.

The court has carefully reviewed the Report and Recommendation and the relevant materials in the file and finds the recommendation correct in all respects. Accordingly, the Report and Recommendation is adopted as the order of the court. The court GRANTS the Madera Defendants' motion to dismiss, the California State Defendants' motion to dismiss, and the Utah Defendants' Motion for Summary Judgment and dismisses this case.

DATED this 30th day of August, 2011.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
U. S. District Court Judge

⁴Dkt. 56